

OFFICIAL PROCEEDINGS
CITY OF MORGAN CITY
APRIL 24, 2018

The Mayor and City Council of Morgan City, Louisiana, met at 6:00 pm (local time) in regular session, this date, in the City Court Building, Highway 182 East, Morgan City, Louisiana.

There were present: Honorable Frank P. Grizzaffi, III Mayor; and Council Members Ron Bias, Ray Autrey, Tim Hymel, Mark Stephens and Louis J. Tamporello, Jr.

Absent: None

Also present were Mr. Marcus Folse, Chief Administrative Officer and Mr. Paul Landry, City Attorney.

The invocation was given by Reverend Ronnie Cuvillier.

There was no Positive Image recipient for the month of April.

Mrs. Donna Meyer with the St. Mary Chamber of Commerce requested use of the area under the US 90 Bridge to hold the 7th annual Bayou BBQ Bash on July 13 and 14, 2018 (copy on file). She also requested closure of Third Street on Friday July 13, 2018 from 4 PM to 10 PM and Saturday, July 14, 2018 from 7 AM to 6 PM, and Arkansas Street Friday July 13, 2018 from 4 PM to 10 PM and Saturday July 14, 2018 from 7 AM to 6 PM. Mr. Bob Harrison stated that they would also be having a "Biker's on the Bayou" event in conjunction with the Bayou BBQ Bash and they needed closure of the old bridge on the morning of July 15, 2018. A motion to approve their request for the BBQ Bash and to allow the bridge closure was made by Mr. Stephens, seconded by Mr. Autrey and voted unanimously in favor.

Mr. Ed Perot approached the Council regarding the 16th annual Freedom Ride. He stated that it would begin at the Municipal Auditorium and the ride would go through all of St. Mary Parish and end at Friends Tavern. It would be held in conjunction with other events honoring Veterans. He stated that this year all vehicles would be allowed to participate in the ride, not just motorcycles. A motion to allow the 16th Annual Freedom Ride was made by Mr. Hymel, seconded by Mr. Stephens and voted unanimously in favor.

Mrs. Kristal Hebert with the Center of Hope introduced herself and one of her participants, Rochelle, to the Mayor and Council. She updated them on what the Center of Hope was and did and invited them to come out and visit the facility and see what they did there.

Mr. Tim Hebert and Mrs. Tasha Johnson requested use of Lawrence Park for a Family Fun Day on Saturday June 9, 2018 from 2 PM to 6 PM (copy on file). They stated this event would be free to the public and there would be free food and music. Ice chests would be allowed and security would be needed. A motion to allow the Family Fun Day in Lawrence Park was made by Reverend Bias, seconded by Mr. Hymel and voted unanimously in favor.

Mr. Craig Ring addressed the Council regarding the traffic near the nursing home in Lakeside subdivision. He stated that with the ongoing levee work, the traffic seemed to be worse than usual. Mayor Grizzaffi stated that the Police Department could provide frequent patrols and the City could try to get in touch with the nursing home to see if they have any solutions to the problem.

The minutes of the March 27, 2018 meeting were submitted. There being no corrections, additions, or deletions, a motion to approve the minutes was made by Reverend Bias, seconded by Mr. Tamporello, and voted unanimously in favor.

Mrs. Deborah Garber, Finance Director, submitted the following financial statement for the period ending March 31, 2018.

MONTHLY FINANCIAL STATEMENTS

DATE: April 24, 2018
TO: Mayor and Council
FROM: Deborah Garber
RE: Comments related to summary of revenues and expenses compared to budget for the period ended March 31, 2018.

Attached is a summary that compares our actual revenues and expenses to our operational budget for our major funds subject to budgetary control for the period ending March 31, 2018. The following comments are related thereto:

General and Ancillary Funds: Actual total revenues are currently over budget by \$164,700. Sales taxes in General Fund remains under budget by \$36,500. Operating expenses are below budget by \$105,800. The net loss, after transfers, of \$294,800 is a favorable variance of \$270,500 compared to the budget.

Utility Fund: Actual revenues are over budget by \$466,300, with operational expenses also over budget by \$95,700. Energy and gas costs are \$303,500 over budget. The net loss, after transfers, of \$162,800 creates a favorable variance of \$387,500.

Sanitation and Sewer Fund: The operating revenues are \$25,500 over budget, with total operating expenses under budget by \$39,200. The net income, after transfers, of \$291,900 leaves another favorable variance of \$67,800.

Respectfully submitted,
/s/ Deborah Garber
Deborah Garber
Finance Director

CITY OF MORGAN CITY
CONSOLIDATED STATEMENT
Actual Revenues and Expenses Compared to Budget
Period Ended March 31, 2018

GENERAL AND ANCILLARY FUNDS	ACTUAL	BUDGET	VARIANCE
REVENUES			
General Fund	1,455,254	1,298,888	156,366
Recreation Fund	30,823	28,329	2,494
Library Fund	6,499	3,516	2,983
Auditorium Fund	31,379	25,576	5,803
Lake End Park Fund	160,319	163,266	-2,947
Total Revenues	1,684,274	1,519,575	164,699
EXPENSES-OPERATIONAL			
General Fund	2,421,085	2,465,188	-44,103
Recreation Fund	66,833	89,908	-23,075
Library Fund	32,257	35,146	-2,889
Auditorium Fund	110,634	117,249	-6,615
Lake End Park Fund	185,763	214,902	-29,139
Total Expenses	2,816,572	2,922,393	-105,821
TRANSFERS			
Transfers from Funds	897,500	897,500	0
Transfers to Funds	-60,000	-60,000	0
Net Transfers	837,500	837,500	0
EXCESS NET OF TRANSFERS	-294,798	-565,318	270,520
UTILITY FUND			
Total Revenues	5,079,575	4,613,228	466,347
Total Expenditures	4,422,362	4,326,652	95,710
Net Excess	657,213	286,576	370,637
Net Transfers and non-oper.	-820,064	-836,994	16,930

Excess net of transfers	-162,851	-550,418	387,567
SANITATION AND SEWER FUND			
Total Revenues	669,596	644,012	25,584
Total Expenses	734,969	774,126	-39,157
Net Excess	-65,373	-130,114	64,741
Net Transfers/non-operating expenses	357,285	354,200	3,085
Excess net of transfers and non-operating	291,912	224,086	67,826

A motion to accept the financial statement was made by Mr. Tamporello, seconded by Mr. Autrey, and voted unanimously in favor.

The next matter on the agenda was the finance committee recommendations, whereupon

Mr. Autrey offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 18-05

BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the following Finance Committee recommendations be and the same are hereby approved:

1. Reinstate 2% longevity raise effective July 1, 2018 at an approximate cost of \$86,090.00 for 2018.
2. Allocate \$2,413.53 per month from General Fund to lease 6 vehicles for Police Department
3. Authorize the purchase of Advanced Metering Infrastructure and software for automatic reading of utilities for the entire City at a cost of \$109,791.57 annually for 20 years from Utility Fund.
4. Allocate \$17,500 from Pollution Abatement to purchase Rigid Camera.

Reverend Bias seconded the motion.

The vote thereon was as follows:

AYES: Autrey, Bias, Hymel, Stephens, Tamporello
 NAYS: None
 ABSENT: None

The resolution was therefore declared approved and adopted this 24th day of April, 2018.

 Frank P. Grizzaffi, III
 Mayor

ATTEST:

 Debbie Harrington
 Clerk

Parish President David Hanagriff updated the Council on the Industrial Tax Exempt Program. He asked that the Council pass a resolution allowing it, whereupon,

The following resolution was offered by Mr. Stephens and seconded by Mr. Tamporello.

RESOLUTION R:18-06

A resolution authorizing the participation of the City of Morgan City, State of Louisiana, in the Industrial Tax Exemption Program and providing for other matters in connection therewith.

WHEREAS, Article 7, Section 21(F) Constitution of the State of Louisiana of 1974 provides for the Board of Commerce and Industry (“BCI”), with the approval of the Governor, to approve contracts under the Industrial Tax Exemption Program (“ITEP”); and

WHEREAS, through ITEP, applicants seeking to construct, replace or expand certain manufacturing and industrial facilities within the State of Louisiana (the “State”) can receive an exemption from ad valorem taxes levied on such facilities by the State and local governmental and political subdivisions; and

WHEREAS, Chapter 5 of Title 13 of the Louisiana Administrative Code, as amended (the “Rules”), sets forth the conditions for participation in ITEP and provides that ITEP contracts should be premised upon job and payroll creation (or job retention, under compelling circumstances) at new or expanded manufacturing plants or establishments, and that the percentage of exemption from ad valorem taxes, and length of the contract for such exemption, may vary depending upon the nature of the project and its economic development benefit; and

WHEREAS, the Rules require that each exemption contract include as Exhibit “A” a Cooperative Endeavor Agreement among the State, Louisiana Economic Development (“LED”), and the ITEP applicant that states, *inter alia*, the number of jobs and payroll to be created, the term of the exemption, the percentage of property eligible for the exemption, and any penalty provisions for failure to create the requisite number of jobs or payroll at the project site; and

WHEREAS, the Rules require that this Council (the “Governing Authority”) of the City of Morgan City, State of Louisiana (the “City”), signify consent to the terms of the exemption by resolution; and

WHEREAS, in compliance with the Rules, this Governing Authority now desires to approve the terms of future ITEP contracts pertaining to projects in the City, upon the terms and conditions hereinafter set forth; and

WHEREAS, pursuant to the Rules, this Governing Authority is adopting this Resolution on behalf of the City and all tax-recipient political subdivisions heretofore or hereafter created by this Governing Authority or its predecessor, if any;

NOW, THEREFORE, BE IT RESOLVED by the Morgan City Council (the “Governing Authority”), acting as the governing authority of the City of Morgan City, State of Louisiana (the “City”), that:

SECTION 1. Upon consideration of the foregoing and the need and desire for continued economic development in the City, recognizing the economic and employment benefits to the people of the City arising from such economic development, this Governing Authority does hereby express its support for the award of future ad valorem tax exemptions under the ITEP, subject to the terms herein. Capitalized terms used but not defined herein shall have the meanings given such terms in the preamble hereto.

SECTION 2. Subject to the provisions of Sections 3 and 4 hereof, this Governing Authority hereby authorizes the St. Mary Parish President (the “Parish President”) to determine on behalf of the City, with respect to any future project in the City which qualifies for ITEP pursuant to the Rules, (i) the number of jobs and payroll to be created by such project, (ii) the term of the exemption contract, (iii) the percentage of property eligible for the exemption, and (iv) any other matters required by the Rules, the State, BCI and/or LED. The Parish President is further authorized to provide to LED and/or the applicant, as requested, any such letters or documentation as may be necessary to signify such determinations and the approval of this Governing Authority provided for herein and to execute on behalf of this Governing Authority any agreement required by the Rules. The Parish President shall inform and discuss with the Mayor of the City, or his designee, the results of the economic evaluation described in Section 3 prior to the Parish President’s approval of any such exemption application and the terms thereof.

SECTION 3. Prior to the Parish President's consideration of any application for ITEP, the Parish's Department of Economic Development shall conduct an extensive evaluation of the proposed project to determine the impact to the City resulting from the direct, indirect and induced jobs to be created and/or retained as a result of the proposed project. Such analysis may include other economic benefits accruing to the City from the proposed project. The Parish President is only authorized to exercise the authority granted in Section 2 hereof if the analysis required by this section shows the proposed project will result in a net positive result to the City when compared to the amount of ad valorem taxes that will not be collected by the City as a result of the ITEP exemption.

SECTION 4. Notwithstanding anything herein to the contrary, (1) the initial ad valorem exemption shall not exceed one hundred percent of the applicable taxes and the initial term of the exemption contract shall not exceed five years, and (2) the exemption contract may be renewed for a period not to exceed three years and such renewal may provide for an ad valorem tax exemption of not to exceed eighty percent.

SECTION 5. A copy of this resolution shall be forwarded to BCI, LED, the Governor of the State, the Parish President and the St. Mary Parish Council.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Stephens, Tamporello, Autrey, Bias, Hymel
NAYS: None
ABSENT: None

And the resolution was declared adopted on this, the 24th day of April, 2018.

Clerk of the Council

Mayor

Mr. Jerry Osborne with Foley & Judell, bonding attorneys for the City, addressed the Council regarding the State Bond Commission approval of the issuance of revenue bonds in regards to the automated metering project. He stated that a resolution had to be passed to allow the issuance of bonds and then incurring of debt, whereupon,

The following resolution was offered by Mr. Stephens and seconded by Mr. Autrey:

RESOLUTION R:18-07

A resolution giving preliminary approval to the issuance of not to exceed One Million Six Hundred Fifty Thousand Dollars (\$1,650,000) of Excess Revenue Notes of the City of Morgan City, State of Louisiana; providing certain terms of said Notes, making application to the State Bond Commission for the approval of said Notes, and providing for other matters in connection therewith.

WHEREAS, Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other applicable constitutional and statutory authority(the "Act"), authorizes the Issuer to make and enter into contracts dedicating the excess of annual revenues of subsequent years, from any source, above statutory, necessary and usual charges to the payment of the cost of public improvements which are to be borne by the Issuer; and

WHEREAS, the budget for the City of Morgan City, State of Louisiana (the "Issuer" or the "City"), for the fiscal year ending December 31, 2018, shows an excess of revenues over statutory, necessary and usual charges and all other expenses for such fiscal year, sufficient to meet the maximum principal and interest requirements in any future year on the notes authorized herein, and the Issuer will herein obligate itself and its successors in office to budget and set aside annually adequate funds for the payment of such notes; and

WHEREAS, pursuant to and in accordance with the foregoing, the Issuer now desires to incur debt and issue not to exceed One Million Six Hundred Fifty Thousand Dollars (\$1,650,000) of its Excess Revenue Notes (the "Notes"), in the manner authorized and provided by the Act, for the purpose of acquiring and installing utility meters and related software and equipment to institute an electronic meter reading program for the City, and paying the costs of issuance of the Notes; and

WHEREAS, the Issuer has no other bonds, notes or obligations secured by its excess annual revenues as described herein;

NOW THEREFORE, BE IT RESOLVED by the Morgan City Council (the "Governing Authority"), acting as the governing authority of the City of Morgan City, State of Louisiana, that:

SECTION 1. Preliminary Approval of Revenue Notes. Preliminary approval is given to the issuance, in one or more series, of not exceeding One Million Six Hundred Fifty Thousand Dollars (\$1,650,000) of Excess Revenue Notes (the "Notes") of the City, pursuant to Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of acquiring and installing utility meters and related software and equipment to institute an electronic meter reading program for the City, and paying the costs of issuance of the Notes, said Notes to be secured by and payable from the excess of annual revenues of the Issuer above statutory, necessary and usual charges in each of the fiscal years during which the Notes are outstanding. The Notes will be issued at an interest rate not exceeding 4.50% per annum and shall mature over a period of not exceeding twenty (20) years from the date of issuance. The Notes shall be issued in fully registered form and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance and sale of the Notes and for consent and authority to proceed with the issuance and sale of the Notes as provided above, and Bond Counsel is directed to make application to the State Bond Commission in accordance with the foregoing on behalf of the Issuer. By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the AState Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.,@ adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 3. Declaration of Intent. Prior to the delivery of the Notes, the Issuer anticipates that it may pay a portion of the costs of the project from its General Fund or Water Revenue Fund in an amount not to exceed \$200,000. Upon the issuance of the Notes, the Issuer reasonably expects to reimburse any such expenditures of other available funds from a portion of the proceeds of the Notes. Any such allocation of proceeds of the Notes for reimbursement will be with respect to capital expenditures (as defined in Reg. 1.150-1(b)) and will be made upon the delivery of the Notes and not later than eighteen months after the later of (i) the date such expenditure was paid or (ii) the date on which the project was placed in service, but in no event more than three years after the original expenditure was paid. This Section is intended to be a declaration of official intent within the meaning of Reg. 1.150-2.

SECTION 4. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Notes, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Notes. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Notes, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Notes. The fee of Bond Counsel for each series of notes shall be fixed at a sum not exceeding the fee allowed by the Attorney General=s fee guidelines for such bond counsel work in connection with the issuance of such series of revenue notes and based on the amount of said Notes actually issued, sold, delivered and paid for, plus Aout-of-pocket@ expenses, said fees to be contingent upon the issuance, sale and delivery of said notes. The Mayor is hereby authorized and directed to execute, and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter in the form presented at this meeting. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Clerk is hereby empowered and directed to provide for payment of the work herein specified upon completion thereof and under the conditions herein enumerated.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Stephens, Autrey, Bias, Hymel, Tamporello
NAYS: None
ABSENT: None

And the resolution was adopted on this, the 24th day of April, 2018.

Clerk of the Council

Mayor

The next matter on the agenda was to declare April 2018 as Fair Housing Month, whereupon,

Reverend Bias offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 18-08

WHEREAS, the 50th Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month April, is an occasion of all Americans, individually and collectively, to rededicate themselves to the principle of freedom from housing discrimination, whenever it exists; and

WHEREAS, this law guarantees for each citizen that critical, personal element of freedom of choice-selection of the home; and

WHEREAS, a fair housing law has been passed by the State of Louisiana; and implementation of that law requires the positive commitment, involvement and support of all our citizens; and

WHEREAS, the department and agencies of the State of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

WHEREAS, barriers that diminish the rights and limit the options of any citizen will ultimately diminish the rights and limit the options of all.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the month of April, 2018 be proclaimed as

FAIR HOUSING MONTH

In Morgan City, Louisiana and do hereby encourage all citizens to abide by the letter and spirit of the Fair Housing Law, and ask the citizens of Morgan City to join in reaffirming the obligation and commitment to fair housing opportunities for all.

Mr. Hymel seconded the motion.

The vote thereon was as follows:

AYES: Bias, Hymel, Autrey, Stephens, Tamporello
NAYS: None
ABSENT: None

The resolution was therefore declared approved and adopted this 24th day of April, 2018.

Frank P. Grizzaffi, III
Mayor

ATTEST:

Debbie Harrington
Clerk

Mayor Grizzaffi stated that South Central Planning was assisting the City with the submission of a Bike Grant to the Department of Transportation and Development and a resolution authorizing the submission was needed, whereupon,

Mr. Tamporello offered the following Resolution, who moved for its adoption.

RESOLUTION NO. R: 18-09

RESOLUTION OF THE CITY OF MORGAN CITY APPROVING
THE APPLICATION FOR GRANT FUNDS FROM THE LOUISIANA DEPARTMENT OF
TRANSPORTATION AND DEVELOPMENT SAFE ROUTES TO PUBLIC PLACES
PROGRAM

WHEREAS, the Louisiana Department of Transportation and Development has a Louisiana Strategic Highway Safety Plan that aims to achieve a significant reduction in fatalities and serious injuries on public roads; and

WHEREAS, a grant application of "Bike Morgan City" has been prepared and secures funding allowing safe biking and pedestrian access between the public places of the South Louisiana Community College- Young Memorial Campus and the heart of the City; Lawrence Park, the Historic District, City Hall and the Downtown Post Office ; and

WHEREAS, said procedures requires the applicant to certify by resolution the approval of the application.

NOW THEREFORE BE IT RESOLVED, by the City Council, the governing authority of the City of Morgan City, that the City of Morgan City does hereby:

1. Approve the filing of an application with the Louisiana Department of Transportation and Development; and
2. Appoint the Mayor as agent of the City of Morgan City to conduct all negotiations, execute and submit all documents, including, but not limited to application, letter of commitment agreement, amendments, payment requests and completion report, which may be necessary for the completion of the aforementioned project.

Mr. Stephens seconded the motion.

The vote thereon was as follows:

AYES: Tamporello, Stephens, Autrey, Bias, Hymel

NAYS: None

ABSENT: None

The resolution was therefore declared approved and adopted this 24th day of April, 2018.

Frank P. Grizzaffi, III
Mayor

ATTEST:

Debbie Harrington
Clerk

The first reading of the adoption of the 2018 Millage Rates Ordinance was opened. No definitive action necessary.

The first reading of the Issuance of \$1,650,000 excess Revenue Notes Ordinance was opened. No definitive action was necessary.

The application for a Class "A" liquor and beer permit (copy on file) for the Comfort Inn & Suites, 610 Dr. Martin Luther King Boulevard was submitted. A motion to approve the application was made by Mr. Hymel, seconded by Reverend Bias and voted unanimously in favor.

There being no further business, a motion to adjourn was made by Mr. Hymel, seconded by Mr. Tamporello and voted unanimously in favor.

Debbie Harrington
Clerk

Frank P. Grizzaffi, III
Mayor